

**MINUTES OF THE
CITY PLANNING COMMISSION
JUNE 16, 2006
J. MARTIN GRIESEL CONFERENCE ROOM
TWO CENTENNIAL PLAZA – SUITE 700
805 CENTRAL AVENUE**

CALL TO ORDER

Ms. McCray called the meeting to order at 9:15 a.m.

Commission Members:

Present: Jacqueline McCray, David Rager, Donald Mooney and Rainer vom Hofe

Community Development and Planning Staff: Margaret Wuerstle, Bonnie Holman, Steve Briggs, and Jennifer Walke.

Law Department:

Julia Carney

APPROVAL OF MINUTES

Submission of the minutes from the June 2, 2006 Planning Commission meeting for approval.

Motion:	Mr. Rager moved approval of the minutes.
Second:	Mr. Mooney
Ayes:	Ms. McCray, Mr. Mooney, Mr. Rager, and Mr. vom Hofe
Nays:	None, motion carried

CONSENT ITEMS

ITEM #1 A report and recommendation on authorizing the sale of Fleet Street and part of Anchorage Road.

ITEM #2 A report and recommendation on authorizing an amendment to the lease of office space at Two Centennial building.

ITEM #3 A report and recommendation on authorizing the sale of surplus City-owned real property located in the rear of 19 Garfield Place.

Motion:	Mr. Rager moved approval of Consent Items #1 - #3.
Second:	Mr. vom Hofe
Ayes:	Ms. McCray, Mr. Mooney, Mr. Rager, and Mr. vom Hofe
Nays:	None, motion carried

DISCUSSION ITEMS

ITEM #4 A report on adopting the Burnet Avenue Urban Renewal Plan as the City's planning guide for properties within the Burnet Avenue Urban Renewal Plan boundaries and as the City's Urban Renewal Plan for the elimination of blight within the Burnet Avenue Urban Renewal Plan boundaries.

Ms. Margaret Wuerstle, Chief Planner, presented this item.

SUBJECT

A report and recommendation on the final Burnet Avenue Urban Renewal Plan.

PURPOSE

To gain approval for the Urban Renewal Plan in accordance with section 725-3 of the Cincinnati Municipal Code (CMC).

BACKGROUND

Two years ago, the Avondale Community Council and the Uptown Consortium hired private consultants to prepare the Burnet Avenue Revitalization Strategy plan. The draft plan is complete and the Avondale Community Council is requesting that the plan be adopted as an urban renewal plan.

Since the City of Cincinnati was not involved in the preparation of the draft plan, planning staff circulated the draft plan to various city departments for comments. The plan was circulated twice and two meetings were held with city staff from the Department of Transportation and Engineering, Parks, and Waterworks.

The draft Burnet Avenue Urban Renewal Plan was presented and approved by the City Planning Commission on April 7, 2006 with conditions in the addendums incorporated into the final plan. The conditions are listed below:

ADDENDUM 1 – BURNET AVENUE URBAN RENEWAL PLAN

The concept drawings and renderings included in this strategic plan are provided for illustrative purposes only. They attempt to describe a vision for community redevelopment and are not intended to be a literal representation of development proposals or implementation plans. Individual developers will come forth with specific responses to the goals outlined in the strategies to meet the realities of financing, site conditions, property acquisition, and development programs, and these responses may differ from the illustrations. The plan does not represent the final development plan for the area, but provides a design concept and framework for these future development strategies. The plan depicts a vision, not an implementation strategy, so no City funding or other commitments should be implied.

ADDENDUM 2 - BURNET AVENUE URBAN RENEWAL PLAN

Zone Change Recommendations

This draft plan includes various proposed mixed-use new construction involving housing, commercial, office and a parking garage. In order to accommodate these projects and be sure the appropriate zoning is in place, some zone changes will be necessary.

Existing Zoning

Currently, the existing zoning within the proposed urban renewal area is predominantly RMX (Residential Mixed) and RM 1.2 (Multi-family) along the eastern, southern and western edges of the area. In the center of the area along Burnet Avenue, both sides of the street have the zoning designation of CN-M (Commercial Neighborhood Mixed).

Proposed Zoning

Within the urban renewal area on the following zone changes are recommended:

- ❑ The majority of the RMX east of Burnet Avenue, along Harvey Avenue, change to RM 1.2
- ❑ The CN-M along Burnet Avenue, from Erkenbrecher to Forest Avenues, change to CC-M (Commercial Community–Mixed)
- ❑ The CN-M in the northern portion along Rockdale Avenue change to RM 1.2
- ❑ The RMX along both sides of Jay Street change to CC-M
- ❑ The RMX at the corner of Burnet & Erkenbrecher change to IR (Institutional – Residential)

Alternately, a PD designation of all or a portion of the entire project area would facilitate development of this area.

URBAN RENEWAL AREA

The proposed urban renewal area is situated in the middle of the Avondale statistical neighborhood. The proposed study area is bounded approximately by Forest Avenue to the north; Harvey Avenue to the east; Erkenbrecher Avenue to the south; and Wilson to the west, as shown on the attached map.

The City Planning Commission approved the Urban Renewal Plan study boundary on November 4, 2005.

The Office of Architecture and Urban Design in the City's Department of Transportation and Engineering conducted an eligibility study (blight study) for the area in accordance

with Chapter 725 CMC. The study concludes that the number, degree, and distribution of factors documented in the report warrant the designation of the area along Burnet Avenue bounded by Forest, Harvey, Erkenbrecher and Wilson Avenues as a “Blighted Area” pursuant to Chapter 725 of the CMC. A summary of this study is included in the draft plan document.

PLAN OVERVIEW

The draft plan was developed out of a community based planning process where the Burnett Avenue Revitalization Team (BART) served as the steering committee and advisors for the planning process. Early in the process, the consultant team worked with BART to identify key stakeholders such as major institutions, neighborhood leaders, local developers, residents, homeowners, local businesses and others. Workshops and a community charette were held for residents, business owners and stakeholders during the planning process. A series of meetings between the consultant and BART were held over a period of two years. Overall the revitalization strategy addresses the desire for new retail, new infill housing, new office space, new public spaces, additional parking and the need to address safety concerns. Some of the preliminary recommendations are as follows:

1. To make Burnet Avenue a unique urban place with an active and safe street life, including a range of new retailing opportunities where people will choose to live and work,
2. Provide new housing choices for residents,
3. Target programs for home improvement and home ownership within the neighborhood,
4. Seek a new unique identity that will enable Burnet Avenue to become known for special retailing experiences unlike those of many of its nearby competitors,
5. Establish a low income tax credit and/or a new markets tax credit fund(s),
6. Redevelop the site between Hickory and Rockdale with mixed-income replacement housing,
7. Develop a feasibility study for re-use of the building at the SW corner of Rockdale and Burnet,
8. Develop a large mixed-use development, which includes housing, parking and retail along Burnet Avenue,
9. Undertake a marketing study for new housing.

COMMUNITY INVOLVEMENT

On January 4, 2006, City staff held a public informational meeting in Avondale and invited all the property owners within the Burnet Avenue Urban Renewal study boundary and the Avondale Community Council. Uptown Consortium made a presentation of the plan and then questions and comments were taken. There was no one in opposition to the plan in attendance.

COORDINATED CITY PLAN

The Burnet Avenue Urban Renewal Plan conforms to the following goals and policies of the Coordinated City Plan, Volume 2: Strategies for Comprehensive Land Use, 1980:

1. Promote economic development and stabilize communities by planning for the retention, revitalization and in some cases the expansion of commercial land uses.
2. Promote the stability of communities by planning for new residential land use as well as for the retention and rehabilitation of existing residential land uses.

IMPLEMENTATION

The implementation plan is divided into five phases listed below:

- Phase 1 includes the area along Burnet bounded by Erkenbrecher, Harvey, Northern and Burnet.
- Phase 2 includes the area along Burnet bounded by Northern, Harvey, Rockdale and Burnet.
- Phase 3 includes the area along Burnet bounded by Rockdale, Harvey, Forest and Burnet.
- Phase 4 includes the area along the east side of Wilson between Northern and Rockdale.
- Phase 5 includes the remaining residential areas along Hearne, Northern, Erkenbrecher, Rockdale and Forest.

These five phases will be implemented over several years.

RECOMMENDATION

The staff of the Department of Community Development and Planning recommended that City Planning Commission take the following action:

Approve and adopt the Final Burnet Avenue Urban Renewal Plan, dated April 2006, as the City's planning guide for properties within the Burnet Avenue Urban Renewal Plan boundaries and as the City's Urban Renewal Plan for elimination of blight within the Burnet Avenue Urban Renewal Plan boundaries.

DISCUSSION

Ms. Wuerstle gave a brief overview of the Final Burnet Avenue Urban Renewal Plan, dated April 2006. She stated the approval of the Planning Commission is the final step in creating the Urban Renewal District.

Mr. Andrew Crutcher, long time Avondale resident, expressed his concern regarding any possible use of eminent domain. He had been contacted by realtors and felt he was being pressured to sell his property. Mr. Crutcher reiterated his commitment to remain in his home of 55 years on Harvey Ave.

Mr. Jim King, Executive Director, Walnut Hills Redevelopment Foundation, stated that one of the goals of this Plan is to build affordable housing. There are also plans to do housing swaps and rehabilitation of homes. Mr. King stated that there were no plans to use eminent domain or force anyone to sell their property. He said he would meet with Mr. Crutcher after the Planning Commission meeting and explain details of the Plan and answer any questions.

Motion: Mr. Mooney moved approval of the staff recommendations.
Second: Mr. Rager
Ayes: Ms. McCray, Mr. Mooney, Mr. Rager, and Mr. vom Hofe
Nays: None, **motion carried**

BY LEAVE ITEMS

Items #5, #6, and #7 all dealt with the same Development and therefore were presented together.

Mr. Steve Briggs, Senior Planner, presented these items.

ITEM #5 A report and recommendation concerning the grant of a permanent aerial easement over Michigan Avenue to Michigan Terrace LLC for the location of cantilevered fascia and balconies in the neighborhood of Hyde Park.

SUBJECT

A report and recommendation concerning the grant of a permanent aerial easement over Michigan Avenue to Michigan Terrace LLC for the location of cantilevered fascia and balconies in the neighborhood of Hyde Park.

BACKGROUND

The City of Cincinnati is the owner of Michigan Avenue north of Erie Avenue. Michigan Terrace LLC owns the property at the corner of Erie Avenue and Michigan Avenue where a mixed residential-commercial building is being constructed, known as the Michigan Terrace. As part of the Michigan Terrace project, Michigan Terrace LLC has petitioned to purchase a permanent aerial easement over Michigan Avenue for cantilevered fascia and balconies. An appraisal of the easement performed by Real Estate Services has determined that its fair market value is \$1,100.00, which Michigan Terrace LLC has deposited with the City Treasurer. The administration recommends granting the easement.

RECOMMENDATION

The staff of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

“Approve the grant of a permanent aerial easement over Michigan Avenue to Michigan Terrace LLC for the location of cantilevered fascia and balconies.”

ITEM #6 A report and recommendation concerning the grant of a permanent easement within Michigan Avenue right-of-way to Michigan Terrace LLC for the location of private sewer lines in the neighborhood of Hyde Park.

SUBJECT

A report and recommendation concerning the grant of a permanent easement within Michigan Avenue right-of-way to Michigan Terrace LLC for the location of electrical lines in the neighborhood of Hyde Park.

BACKGROUND

The City of Cincinnati is the owner of Michigan Avenue north of Erie Avenue. Michigan Terrace LLC owns the property at the corner of Erie Avenue and Michigan Avenue where a mixed residential-commercial building is being constructed, known as the Michigan Terrace. As part of the Michigan Terrace project, Michigan Terrace LLC has petitioned to purchase a permanent easement within Michigan Avenue right-of-way for the location of electrical lines. An appraisal of the easement performed by Real Estate Services has determined that its fair market value is \$1,200.00, which Michigan Terrace LLC has deposited with the City Treasurer. The administration recommends granting the easement.

RECOMMENDATION

The staff of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

“Approve the grant of a permanent easement within Michigan Avenue right-of-way to Michigan Terrace LLC for the location of electrical lines.”

ITEM #7 A report and recommendation concerning the grant of a permanent easement within Michigan Avenue right-of-way to Michigan Terrace LLC for the location of electrical lines in the neighborhood of Hyde Park.

SUBJECT

A report and recommendation concerning the grant of a permanent easement within Michigan Avenue right-of-way to Michigan Terrace LLC for the location of private sewer lines in the neighborhood of Hyde Park.

BACKGROUND

The City of Cincinnati is the owner of Michigan Avenue north of Erie Avenue. Michigan Terrace LLC owns the property at the corner of Erie Avenue and Michigan Avenue where a mixed residential-commercial building is being constructed, known as the Michigan Terrace. As part of the Michigan Terrace project, Michigan Terrace LLC has petitioned to purchase a permanent easement within Michigan Avenue right-of-way for the location of private sewer lines. An appraisal of the easement performed by Real Estate Services has determined that its fair market value is \$3,000.00, which Michigan Terrace LLC has deposited with the City Treasurer. The administration recommends granting the easement.

RECOMMENDATION

The staff of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

“Approve the grant of a permanent easement within Michigan Avenue right-of-way to Michigan Terrace LLC for the location of private sewer lines.”

DISCUSSION

Mr. Briggs presented a brief overview of By-Leave Items #5 - #7.

Motion: Mr. Mooney moved approval of By-Leave Items 5-7.
Second: Mr. Rager
Ayes: Ms. McCray, Mr. Mooney, Mr. Rager, and Mr. vom Hofe
Nays: None, **motion carried**

ADJOURN

Motion: Mr. Mooney motioned to adjourn.
Second: Mr. vom Hofe
Ayes: Ms. McCray, Mr. Mooney, Mr. Rager, and Mr. vom Hofe
Nays: None, motion carried

Margaret A. Wuerstle, AICP
Chief Planner

Caleb Faux, Chair

Date: _____

Date: _____